

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

ALLIED PROPERTY AND
CASUALTY INSURANCE COMPANY,
AN IOWA CORPORATION,

Plaintiff,

V.

ARMADILLO DISTRIBUTION
ENTERPRISES, INC., A
FLORIDACORPORATION et. al.

Defendants.

[illegible]

Civil Action No. 4:21-cv-617-ALM

JOINT STIPULATION OF DISMISSAL

Plaintiff, ALLIED PROPERTY AND CASUALTY INSURANCE COMPANY (“Allied”) and Defendant, ARMADILLO DISTRIBUTION ENTERPRISES, INC. (“Armadillo”) file this Joint Stipulation of Dismissal pursuant to Rule 41(a)(1)(a)(ii).

1. Allied and Armadillo have resolved their current disputes via settlement.
2. Allied and Armadillo dismiss all claims regarding the duty to indemnify judgments or settlements in the underlying lawsuit without prejudice. The parties reserve their rights as to the determination of the of the duty to indemnify at a later time.
3. Allied and Armadillo dismiss all claims regarding the duty to defend as to defense costs incurred after the date of their settlement without prejudice.
4. Allied and Armadillo dismiss all the remaining claims with prejudice.
5. Each side shall bear its own costs.

HINSHAW & CULBERTSON LLP <u>/s/ Christopher “Kipper” Burke</u> Christopher “Kipper” Burke (Bar No. 00793430) kipperburke@hinshawlaw.com 5151 San Felipe, Suite 1380 Houston, TX 77056 Telephone: (346) 344-4503 Facsimile: (346) 330-5010 Ronald L. Kammer , admitted <i>pro hac vice</i> Florida Bar No. 360589 rkammer@hinshawlaw.com Katherine A. Coba , admitted <i>pro hac vice</i> Florida Bar No. 96303 kcoba@hinshawlaw.com 2525 Ponce de Leon Boulevard, 4th Floor Coral Gables, FL 33134 Telephone: 305-358-7747 Facsimile: 305-577-1063 <i>Counsel for Plaintiff Allied Property and Casualty Company</i>	PERKINS COIE LLP <u>/s/ Michael T. Sharkey DRAFT</u> Michael T. Sharkey , admitted <i>pro hac vice</i> MSharkey@perkinscoie.com 700 Thirteenth Street, N.W., Suite 800 Washington, D.C. 20005-3960 John R. Hardin , Bar No. 24012784 JohnHardin@perkinscoie.com PERKINS COIE LLP 500 N. Akard Street, Suite 3300 Dallas, Texas 75201 <i>Counsel for Defendant Armadillo Distribution Enterprises, Inc.</i>
---	--

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing pleading was filed electronically using the CM/ECF system. Notice of this filing will be forwarded to all known counsel by operation of the court’s electronic filing system on this 22nd day of February, 2023.

/s/ Christopher Kipper Burke
Christopher “Kipper” Burke